

FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY
Sanctuary Advisory Council Meeting

Meeting Minutes, Thursday, February 1, 2007

FGBNMS Headquarters
4700 Ave. U., Bldg. 216, Galveston, TX

Advisory Council Members Present:

Frank Burek, Recreational Diving
Dick Zingula, Recreational Diving (Alternate)
Art Melvin, Diving Operations (Alternate)
Tim Gibson, Oil & Gas Production (Alternate)
Irby Basco, Recreational Fishing
John Stout, Recreational Fishing (Alternate)
John Embesi, Research (Alternate)
Haidee Williams, Education
Kristina Hardwick, Education (Alternate)
Page Williams, Conservation
Dana Larson, Conservation (Alternate)
James Sinclair, Minerals Management Service
Rusty Swafford, NOAA Fisheries

Advisory Council Members Absent:

Frank Wasson, Diving Operations (Council Chair)
Clint Moore, Oil & Gas Production
Joe Hendrix, Commercial Fishing
Ian MacDonald, Research
Beth Keister, U.S. Coast Guard

*Note: The following seat is vacant: Commercial Fishing-Alternate

FGBNMS and NMSP Staff Members Present:

G.P. Schmahl, Sanctuary Manager
Jennifer Morgan, Advisory Council Coordinator
Emma Hickerson, Research Coordinator
Shelley DuPuy, Education Coordinator
Ed Lindeloff, NMSP
Vicki Wedell, NMSP Policy Analyst

Others

Matt Bunn, CCA

Distributed Materials

Agenda and meeting minutes
Scoping Goals & Objectives Document

Jan. 8, 2007 Guidance memo from G.P. Schmahl on issue prioritization
Goals & Issues Spreadsheet
Work Plan & Action Plan Templates
Action Plan Example: Gray's Reef NMS
Action Plan Example: Cordell Bank NMS

The regular meeting of the FGBNMS Advisory Council was called to order at 9:07 AM. Irby Basco, Council Vice-Chair, lead the meeting in the absence of Frank Wasson, Chair. Vice-Chair Irby Basco was also present. The agenda was approved. Art Melvin moved to accept the minutes of the December 2006 meeting without changes. The motion was seconded and the minutes were accepted. At this point, the meeting was turned over to G.P. Schmahl.

G.P. Schmahl, Sanctuary superintendent, explained that Frank Wasson had intended to be present at today's meeting, but was called offshore at the last minute and therefore could not be here. G.P. also explained that Ian MacDonald was not present at the last meeting in December when meeting dates were set and the regular weekday of the meetings was changed. G.P. noted that Ian now has a conflict with Thursday meeting dates due to his teaching schedule. G.P. stated that the Council could have a later discussion regarding future meeting dates and that it may be necessary to reconsider the day of the week for regular Council meetings. He also pointed out the alternates serving in voting seats at today's meeting.

Council members inquired about Joe Hendrix's possible resignation. G.P. stated that he has heard this from others but not directly from Mr. Hendrix. He noted that the sanctuary will be advertising the vacant commercial fishing seat or seats and reminded the Council that charter fishermen are considered "commercial fishermen" under our definition.

G.P. introduced Vicki Wedell and Ed Lindeloff, both joining the Council meeting from NMSP headquarters. G.P. explained that it is valuable to have Ed here, as his perspective is important. He has been involved in many other management plans. Ed gave a brief description of his background and said that he is impressed with the progress that the Council has made so far with the management plan, including developing goals and objectives statement, scoping, and review of scoping comments. He stated that the next step is the most exciting, as the FGB Council and staff will be shaping how the sanctuary will be managed—setting strategies and activities and developing a series of recommendations.

G.P. reviewed the agenda and the contents of packet and distributed materials, including the CD with scoping comments.

G.P. gave a brief PowerPoint presentation, providing a recap of where we are in the management plan process. He stated that we are currently engaged in issue

prioritization and that the Council and staff will move into issue analysis and action plan development. He also explained that the council is not responsible for writing the action plans and the management plan, but that it is the responsibility of the FGB staff. However, council input and council feedback as liaisons with the constituents is very important.

Council members asked questions about the point at which the Gulf of Mexico Fisheries Management Council (GOMFMC) should be brought in on fishing regulations that we (the sanctuary) may propose in the draft management plan. G.P. stated that he has already briefed the GOMFMC on our current management plan review. He added that as soon as the Council and staff come to a consensus about what we want to do about fishing, then he would approach the GOMFMC. At this point, Ed Lindeloff explained the difference between a management plan with regulatory changes and a management plan without. The first would be a management plan for implementing change immediately, while the latter would be truly a “plan” for making change. He noted that doing just a plan first, then allows you to focus on changes to be made. G.P. explained that NOAA/NMSP does not have to accept any recommendations made by the fisheries management council. We would prefer not to get to this point. There is a process that outlines how we cooperate with each other. It is in everyone’s best interest if we work cooperatively with NMFS and GOMFMC.

G.P. continued with his introductory presentation by outlining the top 6 priorities determined from the Council, staff and scoping comments. He outlined the three “bucket groups”. He reminded the Council that Bucket 1 has 4 large issues to consider, while the other bucket groups have only 1. He described further that education is an overarching issue—some aspects of education are always present in other issue areas. We can develop strategies and activities for education alone, but some education strategies are related closely to the other issues. He noted that enforcement is also overarching, and that these two issue areas can be difficult to deal with. Research also came up as a possible overarching issue area and will be associated with many proposed activities. G.P. stated that specific issues such as fishing and boundary expansion allow you to jump right into identifying strategies and activities. In summary, G.P. reviewed the Grays Reef example action plan.

G.P. and the Council reviewed the management plan schedule, including meeting dates and proposed deadlines for work to be completed (with time allowed for an internal review period). G.P. noted that we should be done next time this year, as long as we take the approach that our management plan is a “plan” and does not include regulatory changes.

Following G.P.’s presentation, the Bucket Groups reported on their progress and activities.

Bucket 1: Frank Burek

Frank summarized the work of bucket group 1. He also noted that John Stout had been added to the group. He stated that the group used an issues approach and broke into 3 sub teams. Frank explained that this couldn't be approached through the SAC's goals and that an issues approach was necessary. The sub teams examined the problem statements and drafted some changes. He noted that the SAC and scoping comments resulted in similar issue rankings.

Each sub team reported on their activities: Fishing—Irby Basco; Enforcement—Frank Burek; Expansion—Frank Burek. Frank explained that during the enforcement discussions, the sub team outlined potential damages to the sanctuary to see where efforts should be concentrated. Further, Frank explained that the boundary expansion sub team examined the scoping comments to determine which areas the public wants to see protected and the reasons behind those thoughts. Frank pointed out that HAPC areas already have some of the restrictions that we want in place. G.P. that HAPC regulations only apply to fishing activities, so anchoring by other vessels is not regulated. Also, Sonnier is not a coral HAPC. Rusty Swafford discussed EFH regulations concerning fishing and nonfishing activities. Rusty concurred that the HAPC only regulates fishing activities, but allows commenting authority to other agencies. He added again, that Sonnier bank is not a coral HAPC, so anchoring is allowed by any vessel.

Ed. Lindeloff explained that the SAC goals and objectives for the management plan are the standard to measure the strategies and activities against to see that they are on target. He noted that it is too difficult to organize by goals and objectives. He mentioned the importance of involving experts outside of the council.

Bucket 2: Haidee Williams

Haidee announced that bucket 2 had communicated via email and participated in one conference call to clarify what the assignment from the previous Council meeting. The group members discussed how education is overarching of all issue areas. The education group plans to work on their own and then also participate in other working groups. Ed Lindeloff added that education is overarching, but also exists as a strong program area of its own.

Bucket 3

This group did not meet, as they were unsure of their charge. Frank Wasson is the group chair and recommended today as a working group day. It was noted that visitor use is the primary issue, but that this bucket also contains the goal that is related to administration. The staff would put an administration action plan together.

Following further discussion of HAPC and a short break, G.P. reviewed the work plan template and showed an example from the JMP from the West coast region.

He noted the importance of documenting work progress and explained that the remainder of the afternoon would be used for groups to develop work plans.

Jennifer Morgan led the Council members in an activity to regroup by issue area. Keeping primarily the same council members working on the issues that they were in the bucket groups, the Council established the following six subcommittees. When outside experts become involved in the work of the subcommittees, the group will be considered a working group.

Harvesting impacts from fishing:

Irby Basco, John Stout, Page Williams, Joe Hendrix, *G.P. Schmahl*

Impacts from visitor use:

Frank Wasson, Dick Zingula, Tim Gibson, *Jen Morgan*

Protection of additional habitat in the northwestern Gulf of Mexico:

Frank Burek, **Clint Moore**, James Sinclair, John Embesi, Ian MacDonald, *Emma Hickerson*

Enforcement:

Frank Burek, John Stout, *Lindsay Kurelja*

Education/Outreach:

Haidee Williams, Art Melvin, John Embesi, Dana Larson, Kristina Hardwick, *Shelley DuPuy*

Impacts of pollutant discharge:

James Sinclair; FGBNMS Staff (this issue can be dealt with primarily at the staff level)

The names in bold indicate the proposed working group chairperson and the names in italics indicate the FGB staff member assigned to the subcommittee. Some council members may wish to participate in more than one working group.

The Council reconvened following a lunch break. Public comment was requested at 1:00 p.m. No comments were given.

A breakout session took place in the afternoon to allow subcommittees to begin working on work plans.

Following the breakout session the full council met to discuss new business. The members discussed the schedule for future meeting dates and reached consensus on keeping current schedule in place.

Council members discussed the value of the fishing survey put forward by John Stout. G.P. explained to the Council that the survey is an information collection

device and that there are strict regulations on what we can do due to the Paperwork Reduction Act. John may send out the survey as an individual. It may be possible to put the survey on our website and let the public (commenter, list serve members) that we are continuing to collect information and that they can fill out the questionnaire if interested. Ed Lindeloff stated that he will inquire about guidelines for such an activity with others at headquarters and will give us answers quickly.

The Council discussed whether or not to circulate the survey for feedback and suggestions from all Council members. A motion was made to send the issue of the fishing survey back to the fishing working group for further discussion. The motion was voted on (Yes votes recorded from Irby Basco, Page Williams, Haidee Williams, Tim Gibson, Frank Burek, Art Melvin, John Embesi).

The meeting adjourned at 4:00 PM.